

# **Exhibit G**

**Travalini, Joanna Rubin**

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**From:** Conley, Robert [rconley@nshn.com]  
**Sent:** Wednesday, September 21, 2011 12:54 PM  
**To:** Swits, Deanna  
**Cc:** Niro, Raymond P Jr; Haan, Brian; Culig, Joe; Esquivel, Lisa E; Rurka, Maureen L.; McComb, Ethan; Hallerud, Michael; Chatowski, John; Kunze, Jason; Travalini, Joanna Rubin; Desideri, Larry; Halligan, R. Mark  
**Subject:** RE: Motorola Inc. v. Lemko Corp. et al -- Third Amended Complaint

Deanna,

We believe that we are close to resolving Lemko's position on the remaining log entries, but it has not happened just yet. As of this morning, Lemko has informed me that the vendor (TERIS) has not yet been paid, but will be paid by no later than September 30. We should have the outstanding issues wrapped up promptly thereafter. Incidentally, I have not yet produced the documents corresponding to log entries 91, 92, 94, 97, 98, 111, 114, 115, 117, 119, 122 and 124 (as referenced in my August 30 email). My intentions were to avoid a piecemeal production in relation to the outstanding privilege log issues, as I do believe that there will be other log entries that Lemko ends up treating in the same fashion once we have had a chance to access and review the underlying documents. If you would instead prefer that we simply produce the documents that we have at this time (i.e., those corresponding to log entries 91, 92, 94, 97, 98, 111, 114, 115, 117, 119, 122 and 124), I should be able to get those out to you tomorrow. Let me know.

Thanks,  
Bob

Robert A. Conley  
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Chicago, Illinois 60602  
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**From:** Swits, Deanna [mailto:dswits@nixonpeabody.com]  
**Sent:** Tuesday, September 20, 2011 3:48 PM  
**To:** Conley, Robert  
**Cc:** Niro, Raymond P Jr; Haan, Brian; Culig, Joe; Esquivel, Lisa E; Rurka, Maureen L.; McComb, Ethan; Hallerud, Michael; Chatowski, John; Kunze, Jason; Travalini, Joanna Rubin; Desideri, Larry; Halligan, R. Mark  
**Subject:** RE: Motorola Inc. v. Lemko Corp. et al -- Third Amended Complaint

Bob,

Thank you for your response below. Have you been able to resolve your position with regard to the remainder of the identified entries?

Best Regards,

**Deanna R. Swits**

Associate



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**From:** Conley, Robert [mailto:rconley@nshn.com]  
**Sent:** Tuesday, August 30, 2011 6:00 PM  
**To:** Swits, Deanna  
**Cc:** Niro, Raymond P Jr; Haan, Brian; Culig, Joe; Esquivel, Lisa E; Rurka, Maureen L.; McComb, Ethan; Hallerud, Michael; Chatowski, John; Kunze, Jason; Travalini, Joanna Rubin; Desideri, Larry; Halligan, R. Mark  
**Subject:** RE: Motorola Inc. v. Lemko Corp. et al -- Third Amended Complaint

Deanna,

I am diligently working towards a resolution on all of the privilege log issues, but I am not quite there yet. The delay on all of this relates to technical issues that my firm is experiencing with respect to accessing copies of some of the documents at issue, which we presently understand were maintained in a Clearwell database that was set up by a third party document vendor (Prism Litigation Technology) for Lemko's prior counsel at Greenberg Traurig. I was hoping to have all of this resolved by yesterday at the latest, but that unfortunately has not been the case. There is still a batch of documents that I need to access before I can give you Lemko's final position on the existing claims of privilege that are being challenged. That being said, I think I have been able to make some significant progress, as summarized below:

- With respect to log entries 91, 92, 94, 97, 98, 111, 114, 115, 117, 119, 122 and 124, Lemko will produce unredacted copies of the referenced documents, all of which have previously been produced to Motorola in redacted form. Lemko's election to produce these documents is being made without waiver of any of the "control group" arguments that were presented by Lemko's prior counsel, as set forth in the correspondence which you previously sent to my firm's attention on this issue. After evaluating the referenced documents, we have concluded that the previously-redacted text does not, in and of itself, constitute legal advice. In agreeing to produce the referenced documents, Lemko does not make any concession with respect to the applicability of privilege over communications and/or documents pertaining to the subject matter of the previously-redacted text. On a related note, we anticipate that log entries 57, 60, 72, 73, 77, 78, 79, 81, 84, 88, 89, 108, 109, 113, 135, 136, 137, 146, 147, 149, 151 and 161 may very well qualify for the same treatment. We still need to review these documents before we are able to make that representation with certainty.
- Jason had previously requested that Lemko identify the log entries which are believed to be of no relevance to the present litigation. In response, Lemko identifies log entries 41, 43, 48, 50, 55, 56, 58, 69, 76, 93, 118, 120, 162 and 163.

I am hoping to have more information for you with respect to the remaining challenged log entries within the next few days. I will obviously keep you apprised of the status on this, as I realize that the underlying issue has been pending for some time now. Please feel free to give me a call tomorrow if you wish to discuss any of the positions that I have stated above.

Regards,  
Bob

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**From:** Conley, Robert  
**Sent:** Thursday, August 25, 2011 5:54 PM  
**To:** 'Swits, Deanna'  
**Cc:** Haan, Brian; Niro, Raymond P Jr; Culig, Joe; Rurka, Maureen L.; McComb, Ethan; Hallerud, Michael; Chatowski, John; Kunze, Jason; Travalini, Joanna Rubin; Desideri, Larry; Halligan, R. Mark  
**Subject:** RE: Motorola Inc. v. Lemko Corp. et al -- Third Amended Complaint

Deanna,

We are still in the process of investigating the issues raised in the correspondence attached to your August 23 email. We intend to provide you with our position on these issues by the close of business on Tuesday of next week.

Bob

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**From:** Swits, Deanna [<mailto:dswits@nixonpeabody.com>]  
**Sent:** Tuesday, August 23, 2011 7:12 PM  
**To:** Haan, Brian; Niro, Raymond P Jr; Conley, Robert; Culig, Joe  
**Cc:** Rurka, Maureen L.; McComb, Ethan; Hallerud, Michael; Chatowski, John; Kunze, Jason; Travalini, Joanna Rubin; Desideri, Larry; Halligan, R. Mark  
**Subject:** RE: Motorola Inc. v. Lemko Corp. et al -- Third Amended Complaint

Gentlemen:

Pursuant to our discussion last week, please find attached the correspondence between counsel for Motorola and previous counsel for Lemko.

Please let me know by the close of business on Thursday, August 25, whether you intend to stand on these claims of privilege or will withdraw the assertion of privilege related to the identified documents.

Best Regards,

**Deanna R. Swits**

**Associate**



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